

### **REMARKS**

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

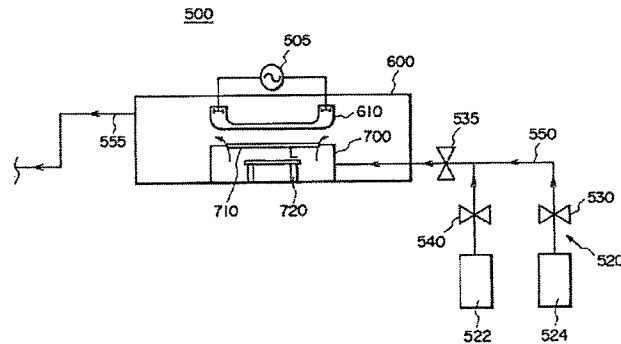
#### **Claim Status**

Claims 34-38 are pending and were rejected. By this amendment, claim 34 is amended. No new matter has been added by this amendment.

#### **Rejections under 35 U.S.C. §§102 and 103**

In paragraph three (3) of the Office Action, claims 34-36 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by JP 11-224839 to Tomoharu et al. ("Tomoharu"). In paragraph five (5) of the Office Action, claim 38 has been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or, in an alternative, under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,120,394 to Mukai ("Mukai"). In paragraph six (6) of the Office Action, claim 38 has been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by, or in an alternative, under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 4,989,031 to Kamiya ("Kamiya"). In paragraph seven (7) of the Office Action, claim 38 has been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by, or in an alternative, under 35 U.S.C. §103(a) as allegedly being unpatentable over Tomoharu. In paragraph nine (9) of the Office Action, claim 37 has been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tomoharu. In paragraph ten (10) of the Office Action, claims 34-37 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kamiya in view of Mukai and U.S. Patent No. 6,616,773 to Kuzumoto et al. ("Kuzumoto").

Fig. 1 as shown below illustrates a schematic and sectional view of a rinsing system according to an embodiment of the present application.



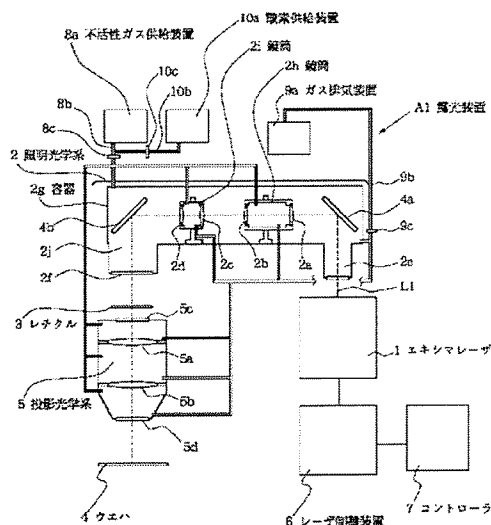
The rinsing method of claim 1 recites a step of accommodating an article to be rinsed into a second container 700, and a step of introducing an oxygen gas or an ozone gas to the second container from, e.g., the gas bottle 522. The rinsing method of claim 1 then irradiates the article to be rinsed with an UV rays from a light source 610 located inside a first container 600. In particular, claim 1 requires that the internal pressure of the second container is maintained higher than in the first container thereby preventing any contamination inside the first container from entering into the second container.

After, e.g., completing the irradiating step, the rinsing method of claim 1 introduces a nitrogen gas into the second container from, e.g., the gas bottle 524. As a result, the oxygen gas or ozone gas in the second container is discharged into the first container, and the discharged oxygen gas or ozone gas in the first container is exhausted to an outside environment (i.e., outside of the second container). By maintaining this step for a while, each of the first and second containers is filled with the nitrogen gas thereby making a nitrogen ambience in both the first and second containers. Finally, the article may be unloaded from the second container to the outside environment by maintaining the nitrogen environment in both the first and second containers. Claim 34 has been amended to further clarify these steps discussed herein.

With the features of amended claim 34 discussed above, a situation, in which an optical element is placed in the same ambience as organic substances such as, e.g., a seal member for isolating the ambience of the rinsing apparatus from the outside atmosphere, or a rubber member for holding the ultraviolet lamp, is prevented. These situations may cause that the organic substances are decomposed by the ultraviolet light and contaminants degasified into the ambience are newly produced, which leads to the re-contamination of the optical element. See, e.g., the “FIELD OF THE INVENTION” section of the present application.

The Office Action asserts that Tomoharu discloses each and every element of the present invention as recited in, e.g., claim 34. It appears that the Examiner equates the container 2g to the second container, and the “room used to house the container 2g” to the first container of claim 34. Moreover, the Examiner describes, *inter alia*, that “[d]uring the operation, there will be some N<sub>2</sub> in the ambience. It should be noted that N<sub>2</sub> does exist in ambience or atmosphere.

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<sup>1</sup> Page 3 of the Office Action.

Tomoharu discloses a method of preventing contamination of an optical device by organic molecules. Referring to Fig. 1 of as shown above, Tomoharu teaches that Nitrogen gas is supplied to the inner space 2j of the case 2g of an illumination optical system 2, the inner spaces of lens tubes 2h and 2i, and spaces partitioned by lenses in a lens tube of a projection lens 5. See, e.g., the English Abstract of Tomoharu.

First of all, Applicants note that the present application claims “a method”, not an apparatus, in which several steps including the “introducing a nitrogen gas into the second container ... a nitrogen containing ambience is produced in each of the first and second containers” are performed. For example, as Applicants already explained in the previous amendment submitted on July 18, 2008, one of the aspect of the present invention makes a nitrogen containing ambience in both the first and second containers in which the ultraviolet light source and the article are placed, respectively.

As Applicants understand it, however, Tomoharu merely teaches that the nitrogen gas is introduced into the container 2g from the gas feed device 8a, and there is simply no such teaching that makes a nitrogen ambience in both the first and second containers as required by claim 34 as amended. It appears that the Examiner believes that the container 2g and the “room used to house the container 2g” are under the nitrogen ambience because the room environment inherently contains nitrogen gas.

However, Applicants note that the nitrogen environment of the present invention is established by introducing the nitrogen gas into the containers, not by simply leaving the containers into an ambient air which contains, e.g., an oxygen gas as well and will cause a disadvantageous reaction with the organic material. Applicants believe that the Examiner’s

rejection is baseless which is based on improper hindsight reasoning relying on the knowledge gleaned only from Applicants' disclosure.

As Applicant understand it, other cited references (i.e., Mukai, Kamiya and Kuzumoto) also fail to teach the inventive aspect of present application.

Accordingly, each of claim 34 as amended and claims 35-36 each depending from claim 34 is believed neither anticipated by nor rendered obvious in view of the cited references (i.e., Tomoharu, Mukai, Kamiya and Kuzumoto), either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 34-36 under 35 U.S.C. §102(b) is respectfully requested.

Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Applicants believe that the application as amended is in condition for allowance and such action is respectfully requested.

**AUTHORIZATION**

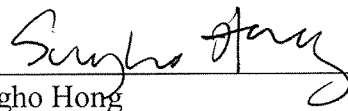
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicants hereby petition the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4819). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: November 20, 2008

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